IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
GREENBELT DIVISION

PATRICIA FLETCHER, *et al.*,	*	
Plaintiffs,	*	
v.	*	Civil Action No: 8:11-cv-03220-RWT
LINDA H. LAMONE, *et al.*,	*	
Defendants.	*	

* * * * * * * * * * * * * * * *

DECLARATION OF JAMES CANNISTRA

I, James Cannistra, being competent to testify, hereby affirm on my personal knowledge as follows:

1. I am the Director of the Data Planning Services Group in the Maryland Department of Planning ("MDP"). I am a certified GIS Professional (GISP). In that capacity, I was responsible for the prisoner reallocation adjustments to the federal census data required by the "No Representation Without Population Act" of 2010 (the "Act") and COMAR 34.05.01 *et seq.*
2. On February 4, 2011, MDP received a computer database from the Maryland Department of Public Safety and Correctional Services ("DPSCS") listing the last known pre-incarceration addresses of all prisoners housed within state correctional facilities as of April 1, 2010, Census Day.
3. The database contained 22,064 records of prisoners under the supervision of the Division of Corrections ("DOC") .
4. The database also contained records of 3,045 additional persons under the supervision of the Division of Pre-Trial Detention Services ("DPDS"). Those records related to persons under the supervision of DPDS were not included in the database because they are not "incarcerated persons" pursuant to the Act.
5. We started with a general review of the remaining database records to identify last known addresses that could not be geocoded (the process of finding geographical coordinates for

Exhibit 2

an address) or addresses that needed to be excluded from the geocoding process because they were out-of-state addresses.

6. In this general review we found 3,358 addresses (15.22%) that could not be geocoded or needed to be segregated from the geocoding process. The 3,358 addresses that could not be geocoded or needed to be excluded from the geocoding process were as follows:

Segregated Addresses	Number	Percent of Total
Correctional Facility	249	1.13%
Incomplete Address	111	0.50%
No Address or Homeless	1,635	7.41%
Out-of-State	1,326	6.01%
Post Office Box	20	0.09%
Rural Route Box	17	0.08%
Total	**3,358**	**15.22%**

7. After the segregation of the 3,358 addresses from the data, the remaining 18,706 addresses were processed for geocoding using the 2010 TIGER address locator included within ESRI GIS software that is used by MDP.
8. As part of the census block assignment process, Caliper Corporation ("Caliper") was able to locate five persons to in-state addresses or it was determined that they should be counted at other locations, which reduced the initial MDP count of out-of-state prisoners from 1326 to 1321. The 1,321 persons whose pre-incarceration address was out-of-state were deleted from the database pursuant to the terms of the Act.
9. Pursuant to COMAR 34.05.01.04.B, MDP corrected addresses so that they could be geocoded. Thus, any addresses that were un-geocodable were reviewed individually to check for possible corrections. Among the efforts that my team undertook to correct these addresses were:

- Verifying and correcting zip codes against the USPS zip code locator (http://zip4.usps.com/zip4/welcome.jsp);
- Correcting misspellings of city and street names (e.g. 100 Halana Drive to 100 Helena Drive);
- Correcting or adding street suffix (street, avenue, boulevard, etc) (e.g. 1510 N Aisquith to 1510 North Aisquith Street);
- Correcting street direction (e.g. 1463 W Key Parkway to 1463 Key Parkway); and
- Removal of extra information such as decimal point or apartment number (e.g. 9119 Chesapeake Ave apt 6 to 9119 Chesapeake Ave).

10. There were 2337 records that had some type of correction. Some records fell into multiple categories or types of corrections such as correcting both a zip code and a street suffix.
11. After the correction of addresses was complete, geocoding was performed using ESRI GIS software and the US Census Bureau's 2010 TIGER/line street file for Maryland as the basis for the address locator. The total database produced 17,140 addresses (16,840 matched and 300 tied) that were geocoded at the person's last known residence. This match rate was 77.68% of the 22,064 persons.
12. The Federal Bureau of Prisons refused to provide prisoner records from the one Federal Correction Institution and its adjacent satellite camp located in Cumberland, Maryland . (attached correspondence from the Federal Bureau of Prisons and the U.S. Department of Justice). MDP determined the number of prisoners in the Cumberland federal facility by examining the 2010 Census block level data for this Federal Correction Institution and determined that 1,514 federal prisoners were in these census blocks. MDP also examined the weekly population report from the Federal Bureau of Prisons at http://www.bop.gov/locations/weekly_report.jsp. In accordance with COMAR 34.05.01.04, these federal prisoners remained at the Federal Correction Institution in Cumberland, Maryland within those two census blocks.
13. Final steps in preparing the database included preparing coordinates for each geocodable address. Segregated addresses, with the exception of the out-of-state addresses, were assigned (geocoded) the coordinates of the correctional facility where the prisoner was located in accordance with COMAR 34.05.01.04.
14. State and federal facility addresses were determined from address information provided for each facility and obtaining coordinate information from Google Earth.
15. Out-of-state addresses were assigned default, or 0, coordinates.
16. MDP transferred the prepared database to Caliper in late February of 2011.
17. After receipt of the data from MDP, Caliper then undertook the process of assigning each geocoded addresses to its appropriate census block. MDP worked with Caliper to resolve questions as part of this process. After the recategorization of special cases, there were 16,988 incarcerated persons were assigned to their home address, 3755 were assigned to the correctional facilities, and 1321 were removed from their correctional facilities as out-of-state residents.

I declare under the penalty of perjury that the forgoing is true and correct.

Executed on December 1, 2011

James Cannistra

Norris

U.S. Department of Justice

Federal Bureau of Prisons

RECEIVED
OCT 12 2010

Washington, D.C. 20534

October 7, 2010

Richard E. Hall
Maryland Department of Planning
301 West Preston Street
Suite 1101
Baltimore, MD 21201

Re: FOIA Request No. 2010-10833

Dear Mr. Hall:

This is in response to your Freedom of Information Act (FOIA) request, receipted by this office on August 2, 2010, for Federal Bureau of Prisons (BOP) records. Specifically, you request "an electronic database . . . preferably in Microsoft Excel spreadsheet compatible format, containing the following information for all federal inmates housed in Maryland as of April 1 of this year: unique prisoner identifying number, number and street address (of last known residence before incarceration), city, state, and zip code."

The information you have requested is maintained in a Privacy Act protected system of records. After a careful review, we have determined the information must be withheld in its entirety. The release of the requested information could constitute an unwarranted invasion of the individuals' personal privacy. In addition, for security reasons and pursuant to 28 CFR §513.34(b), the BOP does not release a list of inmates. We have determined this information will be withheld pursuant to the following statutory authority:

x Title 5, United States Code, Section 552(b)(6), exempts personnel and medical files and similar files to preclude a clearly unwarranted invasion of personal privacy surrounding other individuals.

x Title 5, United States Code, Section 552(b)(7)(C), exempts from disclosure records or information compiled for law enforcement purposes which could constitute an unwarranted invasion of personal privacy surrounding other individuals.

x Title 5, United States Code, Section 552(b)(7)(F), exempts from disclosure records or information compiled for law enforcement purposes which could endanger the lives or physical safety of an individual.

You may appeal this decision by writing to the Office of Information Policy (OIP), U.S. Department of Justice, 1425 New York Avenue, Suite 11050, Washington, D.C. 20530-0001. Both the letter and envelope should be marked "FOIA Appeal." Your appeal must be received by OIP within 60 days from the date of this letter in order for it to be considered timely.

We trust this has been responsive to your request. Should you have any further inquiries, you may contact the Federal Bureau of Prisons, 320 First Street N.W., Room 841, HOLC Building, Washington, D.C. 20534, Attn: FOIA/Privacy Act Office.

Sincerely,

Alecia S. Sillah, for
Wanda M. Hunt
Chief, FOIA/PA Section

U.S. Department of Justice

Office of Information Policy

Telephone: (202) 514-3642

Washington, D.C. 20530

MAR 3 1 2011

Mr. Richard Hall
Maryland Department of Planning
Suite 1101
301 West Preston Street
Baltimore, MD 21201

Re: Appeal No. AP-2011-00559
Request No. 2010-10833
KWC:CDW

Dear Mr. Hall:

You appealed from the action of the Federal Bureau of Prisons (BOP) on your request for an electronic database of all federal inmates housed in Maryland as of April 1, 2010, identified by their unique prisoner identification number and their last known addresses prior to incarceration.

After carefully considering your appeal, I am affirming BOP's action on your request. BOP properly withheld this information in its entirety because it is protected from disclosure under the Freedom of Information Act pursuant to:

5 U.S.C. § 552(b)(6), which concerns material the release of which would constitute a clearly unwarranted invasion of the personal privacy of third parties;

5 U.S.C. § 552(b)(7)(C), which concerns records or information compiled for law enforcement purposes the release of which could reasonably be expected to constitute an unwarranted invasion of the personal privacy of third parties; and

5 U.S.C. § 552(b)(7)(F), which concerns records or information compiled for law enforcement purposes the release of which could reasonably be expected to endanger the life or personal safety of an individual.

Finally, with regard to your request for the number of Maryland inmates and non-Maryland inmates as of April 1, 2010, please be advised that you may not on appeal expand the scope of your initial request. Accordingly, you must submit a new FOIA request to BOP for the records you now seek.

FILE COPY

If you are dissatisfied with my action on your appeal, you may file a lawsuit in accordance with 5 U.S.C. § 552(a)(4)(B).

Sincerely,

Janice Galli McLeod
Associate Director

By: Anne D. Work

Anne D. Work
Senior Counsel
Administrative Appeals Staff